



IFW

PATENT
TUC920030107US1
0022.0053

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	Examiner: Not Yet Assigned
J.J. Wolfgang et al.)	
Serial No.: 10/786,845)	
Filed: February 24, 2004)	Art Unit: Not Yet Assigned
For: METHOD, SYSTEM, AND)	
PROGRAM FOR A SYSTEM)	
ARCHITECTURE FOR AN)	
ARBITRARY NUMBER OF)	
BACKUP COMPONENTS)	

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL OF SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sirs:

In accordance with 37 CFR §§ 1.56, 1.97, and 1.98, enclosed please find Form PTO-1449 listing the attached references which might be deemed material to the examination of the above-identified application.

A. Non-English Language References

- ☐ Enclosed is a search report for a counterpart application. The search report Examiner has provided comments on the relevancy of any non-English language references cited in the search report.
- ☐ The specification incorporates comments on the relevancy of Non-English language references.
- ☐ Set forth below are comments provided by the applicant's home country counsel on the relevancy of non-English language references:

- B. ☒ The information disclosure statement submitted herewith is being filed
- 1) within three months of the filing date of a national application other than a continued prosecution application under 1.53(d);
 - 2) within three months of the date of entry into the national stage as set forth in 1.491 in an international application;
 - 3) before the mailing date of a first Office Action on the merits; or
 - 4) before the mailing date of a first Office Action after filing of a Request for Continued Examination under 1.114.
- C. ☐ The information disclosure statement transmitted herewith is being filed *after* the period specified in paragraph B, but before the mailing date of a final action under 1.113, a Notice of Allowance under 1.311, or an action otherwise closing prosecution, and is accompanied by:
- 1) a Statement under 1.97(e); or
 - 2) a fee of \$180 as set forth in 1.17(p).
- D. ☐ The information disclosure statement transmitted herewith is being filed *after* the period specified in paragraph C, but before payment of the issue fee, and is accompanied by:
- 1) a Statement under 1.97(e); and
 - 2) a fee of \$180 as set forth in 1.17(p).

STATEMENT UNDER 1.97(e)

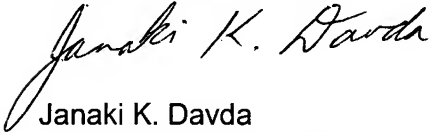
I, the person signing below, certify

- ☐ that each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).
- ☐ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign

application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

If required under paragraph C or D *supra*, enclosed is Applicant's check in the amount of \$180 as set forth in 1.17(p). Please charge any insufficiency or credit any overpayment to Deposit Account No. 09-0449. A duplicate of this letter is enclosed for fee processing.

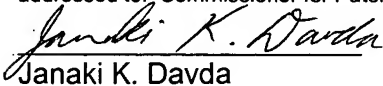
Respectfully submitted,



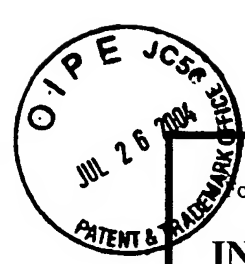
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Dated: July 19, 2004

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450 on July 19, 2004.


Janaki K. Davda

7/19/04
(Date)



Form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
				Application Number	10/786,845
				Filing Date	February 25, 2004
				First Named Inventor	J.J. Wolfgang et al.
				Art Unit	Not Yet Assigned
				Examiner Name	Not Yet Assigned
Page	1	of	1	Attorney Docket Number	TUC920030107US1

U.S. PATENT DOCUMENTS					
Examiner Initials	Cite No.	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number- Kind Code (if known)			
		US-5,504,861	04-02-1996	Crockett et al.	
		US-5615,329	03-25-1997	Kern et al.	
		US-			
		US-			

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No.	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
		Country Code- Number- Kind Code				

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T
		U.S. Patent Application Serial No. 10/788,174, filed February 25, 2004, entitled "Predictive Algorithm for Load Balancing Data Transfers Across Components", by inventors P.M. DOATMAS, K.F. DAY III, K.W. BOYD, J.J. WOLFGANG	
		IBM Corp., "DFSMS/MVS Version 1 Remote Copy Administrator's Guide and Reference", document number SC35-0169-02, file number S390-34, 1994	

Examiner Signature		Date Considered	
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.			